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FEB 28 2007

Serial No. 09/847,935  
Reply of February 28, 2007

D-2914

REMARKS

Applicants are in receipt of the Office Action mailed October 30, 2006, and have the following comments.

Applicants have amended claim 60 to specify that the efficiency enhancing component is present in the composition in an amount sufficient to complex substantially all of the therapeutic component in solution, and the complex comprises a 3:1, 2:1, 1:2 or 1:3 molar ratio of efficiency-enhancing component to therapeutic component. Support for this amendment can be found, e.g., at page 6, first full paragraph, and page 19 first full paragraph, of the specification.

Claim 87 was amended to have the molar ratio correspond to the ratio specified in claims 60, and to indicate that the efficiency enhancing component is present in the composition in an amount sufficient to complex substantially all of the therapeutic component in solution. Support for these amendments can be found on page 3, first full paragraph.

These amendments have been made solely to further clarify the claimed invention and to facilitate the allowance of claims after a protracted prosecution. Applicants reserve the right to prosecute claims corresponding to the amended claims.

Page 6 of 8.

Serial No. 09/847,935  
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D-2914

Rejections pursuant to 35 USC §112

The Office Action of October 30, 2006 (the "Office Action") rejected claims 60-66, 68, 72, 73 and 77 as allegedly violating the written description requirement for the use of the term "derivatives". Without admitting that the Office Action is correct, but solely in order to obtain prompt allowance of meaningful claims following a protracted prosecution, Applicants have deleted to term "derivatives" from claim 60. As the other claims of this set are dependent from claim 60, Applicants believe this rejection is now moot.

Claims 87-90 were rejected as allegedly violating 35 USC §112(1) for failing to comply with the written description requirement in the recitation of molar ratios of 3:1, 2:1, 1:1, 1:2, and 1:3. Applicants respectfully traverse this rejection for the following reasons.

The molar ratios present in amended claim 87 (in which the ratio 1:1 was removed) are supported by the text at e.g., the first full paragraph of page 6. This disclosure makes clear that a single TC may form a complex with more than one, for example 2 or 3 EECs and a single EEC may form a complex with more than one TC, for example 2 or 3 TCs.

For this reason, this rejection is believed to be overcome, and Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

Page 7 of 8.

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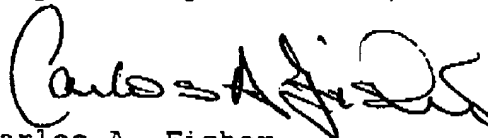
D-2914

CONCLUSION

For the foregoing reasons the claims are thought to be in condition for allowance, and the Applicants respectfully request that the Examiner issue a Notice to that effect. If the Examiner has any questions or comments, a telephone call to the undersigned is respectfully solicited.

This Reply is being filed with a Petition for a One Month extension of Time, and an authorization to use Deposit Account 01-0885 for payment of the extension fee. No additional is thought to be due in connection with this communication. However, if Applicants are in error in this regard, kindly use Deposit Account 01-0885 for the payment of any additional charge now due.

Respectfully submitted,



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